

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

CONFEDERATE MOTORS, INC.,	}	
	}	
Plaintiff,	}	
	}	
v.	}	CIVIL ACTION NO.
	}	10-AR-0919-S
	}	
FRANCOIS-XAVIER TERNY,	}	
	}	
Defendant.	}	

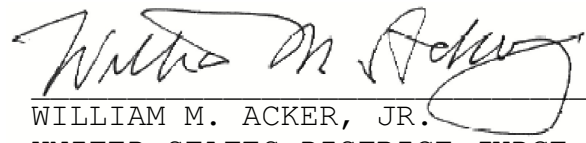
MEMORANDUM OPINION AND ORDER

The court realizes that it placed deadlines on plaintiff that plaintiff has not met. The court also realizes that this is a very unusual and complicated case with the life or death of a corporation at stake. Under the circumstances, the court finds that plaintiff, Confederate Motors, Inc., has met the standard of *Twombly and Iqbal* to state a claim against the single remaining defendant, Francois-Xavier Terny. Neither party requested oral argument on pending motions.

Plaintiff's motion to dismiss all claims as against all remaining defendants except Terny is GRANTED. Accordingly, the above-entitled action as against all defendants except Terny is DISMISSED WITH PREJUDICE. Terny's motion to dismiss and to disallow the amendment is DENIED, and plaintiff's motion for leave to amend is GRANTED, and the amendment DEEMED filed. Plaintiff's motion for default is MOOT.

Terny shall answer the amended complaint **within fourteen (14) days.**

DONE this 29th day of November, 2010.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE